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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/749,549

Applicant(s)

UCHIDA, TAKASHI

Examiner

MARCUS T. RILEY

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/11/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 2,3 and 6-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 01/02/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is responsive to applicant's remarks received on January 11, 2008. **Claims 1, 4 & 5** remain pending. **Claims 2, 3 & 6-9** have been cancelled.

Response to Arguments

2. Applicant's arguments with respect to amended **Claims 1, 4 & 5** filed on January 11, 2008 have been fully considered but they are not persuasive.

A: Applicant's Remarks

Therefore, nothing in Honma appears to disclose or suggest a display data generator that generates display data from the thumbnail data and a preview icon to be selected when the print image is checked, wherein the display data generator generates a preview image to be displayed when the preview icon is selected, as in claims 1, 4 and 5 (as amended).

Based on the foregoing, independent claims 1, 4 and 5 (as amended) are clearly not anticipated or rendered obvious by Honma.

In the Office Action, claims 7 and 8 have been rejected under 35 USC 102(b) as being clearly anticipated by Crosby et al. (U.S. Patent No. 6,870,547, hereafter "Crosby"). Additionally, claim 2 has been rejected under 35 USC 103(a) as being unpatentable over Honma in view of Crosby. However, claims 2, 7 and 8 have been canceled. Therefore, the rejections noted above to claims 2, 7 and 8 are moot.

In light of the above, the Applicant respectfully submits that all the pending claims are patentable over the prior art of record. The Applicant respectfully requests that the Examiner withdraw the rejections presented in the Office Action dated October 11, 2007, and pass this application to issue.

A: Examiner's Response

Honma '389 in combination with Crosby '547 discloses or suggests a display data generator that generates display data from the thumbnail data and a preview icon to be selected when the print image is checked, wherein the display data generator generates a preview image to be displayed when the preview icon is selected (*"Further, in a preferred embodiment, it will be in an industry standard format, thus allowing it to be displayed by most applications and Web browsers. More importantly, if the digital negative or edit list associated with the proxy image are not available, the user will still have a preview of what the image composition should look like. This allows a user to view the proxy image (or image composition) at a given resolution, using a standard application, but retains its ability to be rasterized at a higher resolution at a later time, based on specific application or device requirements."* column 3, lines 20-24). See also (*"In another embodiment, a user can download a low-resolution "Intelligent e-Card" from a Web site represented as an industry standard JPEG that contains the rasterized composition of photos, cards, text, and any other multimedia assets. While the JPEG proxy image may be adequate for on-screen viewing or a preview print, the proxy image is embedded with knowledge about how the high-resolution artwork and/or photos can be accessed and composited, providing*

the application with the necessary information for the rasterization at a higher-resolution." column 9, lines 51-60).

Based on the foregoing, independent claims 1, 4 and 5 (as amended) are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma 389 in combination with Crosby '547 and are rendered obvious by Honma and Crosby '547.

In light of the above, the examiner respectfully submits that all the pending claims are not patentable over the prior art of record. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Thus, Applicant's arguments with respect to amended **Claims 1, 4 & 5** filed on January 11, 2008 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 4 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (US 6,876,389 hereinafter, Honma '389) in combination with Crosby et al. (US 6,870,547 hereinafter, Crosby '547).

Regarding claim 1; Honma '389 discloses a print system comprising: a receiver that receives thumbnail data as a print image and related information indicating a link destination of the thumbnail data; (*"The printer controller 103 has a slot into which the memory card 102 is*

inserted, and it displays the image data kept in the memory card 102 on the television receiver 104 according to the operation of a user, and in the meantime, it performs a control function so that the image data is output on the printer 105... column 2, lines 42-47), see also i.e. "...the information on the aspect ratios of a thumbnail image and a main image is obtained from the image data analysis part 206, and these are compared with each other. Then, when they are the same, the thumbnail image is used as the display image data as it is..." column 3, lines 20-24); a display data generator that generates display data from the thumbnail data ("Reference numeral 104 denotes a television receiver (TV) as display means..." column 2, lines 31-33), see also i.e. "...the thumbnail image is used as the display image data as it is..." column 3, lines 24-24); an input device for inputting a print instruction for the related information ("The image data from the digital camera 101 conforms to a standard such as DCF, CIFF, Exif, and on the basis of the specifications thereof, the printer controller 103 performs analysis and processing. column 2, lines 48-51); and a transfer section for transferring a data file identified by the thumbnail data in accordance with the link destination when the print instruction is received by said input device ("The printer controller 103 has a slot into which the memory card 102 is inserted, and it displays the image data kept in the memory card 102 on the television receiver 104 according to the operation of a user, and in the meantime, it performs a control function so that the image data is output on the printer 105. The image data from the digital camera 101 conforms to a standard such as DCF, CIFF, Exif, and on the basis of the specifications thereof, the printer controller 103 performs analysis and processing." column 2, lines 42-51).

Honma '389 does not expressly disclose discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected.

Crosby '547 discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected (*"Further, in a preferred embodiment, it will be in an industry standard format, thus allowing it to be displayed by most applications and Web browsers. More importantly, if the digital negative or edit list associated with the proxy image are not available, the user will still have a preview of what the image composition should look like. This allows a user to view the proxy image (or image composition) at a given resolution, using a standard application, but retains its ability to be rasterized at a higher resolution at a later time, based on specific application or device requirements."* column 3, lines 20-24). See also (*"In another embodiment, a user can download a low-resolution "Intelligent e-Card" from a Web site represented as an industry standard JPEG that contains the rasterized composition of photos, cards, text, and any other multimedia assets. While the JPEG proxy image may be adequate for on-screen viewing or a preview print, the proxy image is embedded with knowledge about how the high-resolution artwork and/or photos can be accessed and composited, providing the application with the necessary information for the rasterization at a higher-resolution."* column 9, lines 51-60).

Honma '389 and Crosby '547 are combinable because they are from same field of endeavor of image processing systems (*"The invention relates generally to digital image processing systems."* Crosby '547 at column 1, lines 22-23).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the image processing system as taught by Honma '389 by adding a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected as taught by Crosby '547.

The motivation for doing so would have been because it is advantageous to provide a non-conventional approach to image editing to substantially improve flexibility (*"Unlike conventional approaches to image editing, the distributed nature of the invention provides substantially improved flexibility."* Crosby '547 at column 4, lines 53-56).

Therefore, it would have been obvious to combine Honma '389 with Crosby '547 to obtain the invention as specified in claim 1.

Regarding claim 4; Honma '389 discloses a print system comprising: a receiver that receives thumbnail data and related information (*"The printer controller 103 has a slot into which the memory card 102 is inserted, and it displays the image data kept in the memory card 102 on the television receiver 104 according to the operation of a user, and in the meantime, it performs a control function so that the image data is output on the printer 105... column 2, lines 42-47)*, see also i.e. *"...the information on the aspect ratios of a thumbnail image and a main image is obtained from the image data analysis part 206, and these are compared with each other. Then, when they are the same, the thumbnail image is used as the display image data as it is..."* column 3, lines 20-24); a display data generator that generates display data from the related information (*"...and it displays the image data kept in the memory card 102 on the television*

receiver 104 according to the operation of a user..." column 5, lines 25-34); and a decoder for analyzing thumbnail data of a printer received from a user which is based on displayed instruction information, and extracting thumbnail data ("...the information on the aspect ratios of a thumbnail image and a main image is obtained from the image data analysis part 206, and these are compared with each other. Then, when they are the same, the thumbnail image is used as the display image data as it is..." column 3, lines 20-24).

Honma '389 does not expressly disclose discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected.

Crosby '547 discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected ("*Further, in a preferred embodiment, it will be in an industry standard format, thus allowing it to be displayed by most applications and Web browsers. More importantly, if the digital negative or edit list associated with the proxy image are not available, the user will still have a preview of what the image composition should look like. This allows a user to view the proxy image (or image composition) at a given resolution, using a standard application, but retains its ability to be rasterized at a higher resolution at a later time, based on specific application or device requirements.*" column 3, lines 20-24). See also ("*In another embodiment, a user can download a low-resolution "Intelligent e-Card" from a Web site represented as an industry standard JPEG that contains the rasterized composition of photos, cards, text, and any other multimedia assets. While the JPEG proxy image may be adequate for on-screen viewing or a preview print, the proxy image is embedded with knowledge about how the high-resolution*

artwork and/or photos can be accessed and composited, providing the application with the necessary information for the rasterization at a higher-resolution.” column 9, lines 51-60).

Honma ‘389 and Crosby ‘547 are combinable because they are from same field of endeavor of image processing systems (“*The invention relates generally to digital image processing systems.*” Crosby ‘547 at column 1, lines 22-23).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the image processing system as taught by Honma ‘389 by adding a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected as taught by Crosby ‘547.

The motivation for doing so would have been because it is advantageous to provide a non-conventional approach to image editing to substantially improve flexibility (“*Unlike conventional approaches to image editing, the distributed nature of the invention provides substantially improved flexibility.*” Crosby ‘547 at column 4, lines 53-56).

Therefore, it would have been obvious to combine Honma ‘389 with Crosby ‘547 to obtain the invention as specified in claim 4.

Regarding claim 5; Honma ‘389 discloses a print system comprising: a detachable external storage (“*and reference numeral 102 denotes a memory card, which keeps image data imaged by the digital camera 101 and can be removably attached to the above described digital camera 101.*” column 2, lines 24-27); an information reader that reads data from said detachable external storage (“*Reference numeral 103 denotes a printer controller that is an output control*

apparatus of the present invention, which reads in the image data kept in the memory card 102 and controls the output of the read-in image data.” column 2, lines 27-31); an information writer that writes data to said detachable external storage (“...reference numeral 101 denotes a digital camera that is image pick-up means, and reference numeral 102 denotes a memory card, which keeps image data imaged by the digital camera 101...” column 2, lines 22-25); a decoder for extracting thumbnail data from file information of a file read from said detachable external storage (“...the information on the aspect ratios of a thumbnail image and a main image is obtained from the image data analysis part 206, and these are compared with each other. Then, when they are the same, the thumbnail image is used as the display image data as it is...” column 3, lines 20-24); an analyzer that analyzes the file information (“FIG. 2 is a block diagram showing an example of the functional configuration of the printer controller 103... image data analysis part 206...” column 2, lines 52-59); a display data generator that generates display data from the extracted thumbnail data (“...the information on the aspect ratios of a thumbnail image and a main image is obtained from the image data analysis part 206, and these are compared with each other. Then, when they are the same, the thumbnail image is used as the display image data as it is...” column 3, lines 20-24); a transfer section for transferring the display data to a display unit (“...FIG. 2 is a block diagram showing an example of the functional configuration of the printer controller 103...a TV display renderer 208...” column 3, lines 52-60).

Honma '389 does not expressly disclose discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected.

Crosby '547 discloses a preview icon to be selected when the print image is checked, wherein said display data generator generates a preview image to be displayed when the preview icon is selected (*"Further, in a preferred embodiment, it will be in an industry standard format, thus allowing it to be displayed by most applications and Web browsers. More importantly, if the digital negative or edit list associated with the proxy image are not available, the user will still have a preview of what the image composition should look like. This allows a user to view the proxy image (or image composition) at a given resolution, using a standard application, but retains its ability to be rasterized at a higher resolution at a later time, based on specific application or device requirements."* column 3, lines 20-24). See also (*"In another embodiment, a user can download a low-resolution "Intelligent e-Card" from a Web site represented as an industry standard JPEG that contains the rasterized composition of photos, cards, text, and any other multimedia assets. While the JPEG proxy image may be adequate for on-screen viewing or a preview print, the proxy image is embedded with knowledge about how the high-resolution artwork and/or photos can be accessed and composited, providing the application with the necessary information for the rasterization at a higher-resolution."* column 9, lines 51-60).

Honma '389 and Crosby '547 are combinable because they are from same field of endeavor of image processing systems (*"The invention relates generally to digital image processing systems."* Crosby '547 at column 1, lines 22-23).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the image processing system as taught by Honma '389 by adding a preview icon to be selected when the print image is checked, wherein said display data generator

generates a preview image to be displayed when the preview icon is selected as taught by Crosby '547.

The motivation for doing so would have been because it is advantageous to provide a non-conventional approach to image editing to substantially improve flexibility (*"Unlike conventional approaches to image editing, the distributed nature of the invention provides substantially improved flexibility."* Crosby '547 at column 4, lines 53-56).

Therefore, it would have been obvious to combine Honma '389 with Crosby '547 to obtain the invention as specified in claim 5.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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4/1/08